

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7354

Petition of Perry E. Parker vs. Telephone )  
Operating Company of Vermont, LLC, d/b/a/ )  
FairPoint Communications, in re: dispute )  
concerning the provision of telephone service at )  
Little Hosmer Pond in Craftsbury, Vermont, as )  
it relates to the utilization of a right-of-way )  
and/or easement )

Order entered: 5/5/2010

**SCHEDULING ORDER**

A status conference in this docket was held on April 15, 2010. Appearances were entered by: Eric G. Parker, Esq., Bauer, Gravel, Farnham, Nuovo, Parker & Lang, representing Perry E. Parker ("Petitioner"); Benjamin Marks, Esq., Sheehey Furlong & Behm P.C., representing Telephone Operating Company of Vermont, LLC, d/b/a FairPoint Communications ("FairPoint"); and James Porter, Esq., representing the Vermont Department of Public Service ("Department").

At the prehearing conference the parties discussed several issues pertinent to this proceeding, and scheduling. Thereafter, on April 23, 2010, FairPoint submitted for approval a proposed schedule to which the Department and the Petitioner have consented. I hereby adopt the proposed schedule, which shall be as follows:

April 29, 2010	Deadline for the Petitioner and the Department to submit a draft stipulation of material facts to FairPoint for review.
May 10, 2010	Deadline for FairPoint to comment on the draft stipulation of facts.

May 17, 2010	Deadline for all parties to execute and file the final version of a stipulation of facts if such a stipulation is reached.
May 21, 2010	Deadline for all parties to file direct testimony, if no stipulation of facts is reached.
May 28, 2010	Deadline for all parties to serve discovery.
June 4, 2010	In the event that a stipulation of facts is reached and filed, deadline for all parties to file legal briefs concerning the legal issues raised in this case as to (1) whether FairPoint has a duty to provide the Petitioner with telephone service, and (2) what options are available for providing such service.
June 11, 2010	Deadline for all parties to serve discovery responses.
June 18, 2010	Deadline for all parties to file rebuttal testimony.
July 7, 2010	Technical Hearing.
July 16, 2010	Deadline for filing direct briefs.
July 23, 2010	Deadline for filing reply briefs.

**So Ordered.**

Dated at Montpelier, Vermont, this 5<sup>th</sup> day of May, 2010.

s/June E. Tierney  
June E. Tierney, Esq.  
Hearing Officer

OFFICE OF THE CLERK

FILED: May 5, 2010

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*